

APR 16 2007

Attorney Docket No. AOL0159

U.S. Serial No.: 10/774,356

REMARKS

1. Applicant thanks the Examiner and his supervisor for their assistance during an Interview, which was held on 13 April 2007.

2. Oath/Declaration. As pointed out during Interview, Oath/Declaration is listed in PAIR. Accordingly, this objection is in error and should be withdrawn. To assist the examiner in confirming this fact, Applicant includes herewith a copy of Applicant's submission of 1 July 2004, including the signed Oath/Declaration which accompanied it.

3. Specifications. Applicant notes the IDS submitted by Applicant was in compliance with the provision of 37 CFR § 1.97.

4. Claim rejection – 35 USC § 103. Claims 1-36 are rejecting at 35 USC §103 as being unpatentable over Bolmarcich, *et al.* (USPN 6,539,435) in view of Stevens (UNIX network programming).

Applicant respectfully disagrees.

During the Interview, Applicant pointed out that the invention claimed herein is concerned with "one computer." The examiner pointed out that Bolmarcich is capable of running "on multiple processors of a distributed or shared memory parallel computer. . ." Accordingly, in the examiner's view, the teachings of Bolmarcich constitute "one computer." While Applicant entirely disagrees with the examiner's facile equation of a distributed processing computing system with one computer, Applicant has nonetheless amended the independent claims to indicate that the "inter-process communication [is] between at least two application processes [and] is restricted to communications, between applications running on a single computer under control of a single instance of an operating system." Support for this amendment to the claims is found for example, on page six, lines 5-7 of the

Attorney Docket No. AOL0159

U.S. Serial No.: 10/774,356

specification. Because Applicant has limited the invention to "a single instance of an operating system," the invention as claimed cannot read upon Bolmarcich. That is, a distributed computing system, even if housed in a common cabinet, requires multiple instances of the operating system, one instance for each of the processors in the distributed system. In contrast, the claimed invention runs multiple applications on a single computer under control of a single instance of an operating system. Nothing in the art of record reaches or suggests this particular arrangement.

Applicant also notes that the Examiner's reliance on Stevens as a secondary reference is misplaced. During the Interview, the Examiner pointed out that Stevens teaches, for example, a pipe. Applicant has conceded the state-of-the-art in the specification, stating that "intra-process communications (IPC) use various communication methods, for example, shared memory, pipe, message queue, or semaphore, to enable interactions between different application processes within the same computer or among different computers in a computer network system." (Page one, lines 11-14; emphasis added) As Applicant's representative explained during the Interview, the invention herein allows communication between multiple processes within a single computer, *i.e.* a single processor. Thus, Applicant teaches that multiple applications are run on a single computer under control of a single instance of an operating system.

A *prima facie* showing of obviousness requires that the proposed combination of references teach each and every element of Applicant's claim. As noted above, none of the art of record teaches inter-process communication for multiple applications running on a single computer under control of a single instance of an operating system. As such, there is also no motivation to combine the references, which concern a multiple processor architecture (Bolmarcich) and a basic programming technique (Stevens), and no likelihood that these references could be combined successfully, as such, the Examiner's *prima facie* showing of obviousness is fatally defective.

Attorney Docket No. AOL0159


U.S. Serial No.: 10/774,356

Should the Examiner deem it helpful, he is encouraged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted

5

Customer No. 22,862


Michael A. Glenn
Reg.No. 30,176

COPY**United States Patent and Trademark Office (USPTO) Acknowledgement**

Please acknowledge receipt of the enclosed document, listed below, by imprinting the USPTO date stamp in the space indicated and returning this postcard to the addressee indicated on the reverse.

Application of: Roger Chickering ✓ Application No: 10/774,356 ✓
 Title: Inter-Process Communication ✓ Filing Date: 2/5/2004 ✓
On A Computer ✓ Atty. Docket No: AOL0159 ✓
 Express Mail No. EV 189442322 US ✓ Date Mailed: June 30, 2004 ✓

Enclosed are the following:

1. Certificate of Express Mailing (1 page); ✓
2. Copy of Notice to File Missing Parts (2 pages); ✓
3. Response to Notice to File Missing Parts (1 sheet, in duplicate); ✓
4. Original Signed Declarations (2 pages); ✓
5. Formal drawings (5 sheets); and ✓
6. Return Postcard ✓



Fee: \$130.00 ✓

Payment Type: Charge to USPTO Deposit Account ✓

ORIGIN (POSTAL USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code <u>94025</u>	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Delivery Attempt Mo. <u>30</u> Day <u>30</u>	Employee Signature <u>[Signature]</u>
Date <u>6-30-04</u>	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Delivery Date Mo. <u>30</u> Day <u>30</u>	Employee Signature <u>[Signature]</u>
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Delivery Date Mo. <u>30</u> Day <u>30</u>	Employee Signature <u>[Signature]</u>
Weight lbs. <u>0.25</u> ozs.	Int'l Alpha Country Code	Mo. <u>30</u> Day <u>30</u>	Employee Signature <u>[Signature]</u>
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials <u>11-U</u>	Mo. <u>30</u> Day <u>30</u>	Employee Signature <u>[Signature]</u>
METHOD OF PAYMENT: Express Mail Corporate Acct. No. <u>X940149</u>		FEDERAL AGENCY ACCT. NO. OR POSTAL SERVICE ACCT. NO. <u>10/774,356</u>	
FROM: (PLEASE PRINT) GLINN PATENT GROUP 3475 EDISON WAY STE L MENLO PARK CA 94025-1821 PHONE <u>650 474 8400</u>		TO: (PLEASE PRINT) ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON DC 20540-0002 PHONE <u>202 354 3000</u>	
AOL0159		Missing Parts P.O. Box 1450 Alexandria, VA 22313-1450	
PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com			

RECEIVED
CENTRAL FAX CENTER

APR 16 2007

  **COPY**

Express Mail Label: EV 189442322 US Date of Deposit: June 30, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.


Rhonda Dunn

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re the application of: Roger Chickering
Serial No. 10/774,356
Filed: 2/5/2004
For: Inter-Process Communication on a Computer
Examiner: Unassigned
Art Unit: 2127
Attorney Docket: AOL0159

June 30, 2004

Commissioner of Patents
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

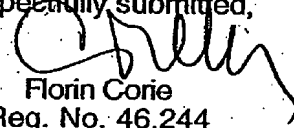
Sir:

In response to the Notice to File Missing Parts of mailed 5/7/2004, enclosed herewith are the following:

- Certificate of Express Mailing (1 page);
- Copy of Notice to File Missing Parts (2 pages);
- Original Signed Declaration (2 pages);
- Formal Drawings (5 sheets); and
- Return Postcard

The Commissioner is authorized to charge the late Oath and Declaration filing fee of \$130.00 and any additional fees that may be due and credit any overpayments to Deposit Account No. 07-1445 (Order No. AOL0159). A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,


Florin Corie
Reg. No. 46,244

Customer No. 22862

Glenn Patent Group
3475 Edison Way, Suite L
Menlo Park CA 94025
Tel: 650 474 8400
Fax 650 474 8401
Customer Number 22,862

 **COPY**

Certificate of Transmission Under 37 C.F.R. §1.10

Express Mail Label: EV 189442322 US Date of Deposit: June 30, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit:	6/30/2004	Name of Person Making the Deposit:	Rhonda Dunn	Signature of the Person Making the Deposit:	
------------------	-----------	------------------------------------	-------------	---	---

Application of: Chickering
Filing Date: 2/5/2004
Atty. Docket No: AOL0159

Application No: 10/774,356
Art Unit: 2127
Examiner: Unassigned

Title: INTER-PROCESS COMMUNICATION ON A COMPUTER

June 30, 2004

Assistant Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this transmittal please find the following documents:

1. Copy of Notice to File Missing Parts (2 pages);
2. Response to Notice to File Missing Parts (1 sheet, in duplicate);
3. Original Signed Declaration (2 pages);
4. Formal drawings (5 sheets); and
5. Return Postcard

RECEIVED
CENTRAL FAX CENTER

APR 16 2007

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

COPY

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/774,356	02/05/2004	Roger Chickering	AOL0159

22862
GLENN PATENT GROUP
3475 EDISON WAY, SUITE L
MENLO PARK, CA 94025

CONFIRMATION NO. 1958

FORMALITIES LETTER

OC000000012559513

Date Mailed: 05/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 3, 4, 5.
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4, 5.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

Page 2 of 2

- \$130 Late oath or declaration Surcharge.

 **COPY**

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

E. J. Eln

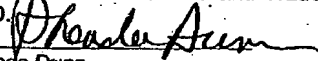
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

A logo consisting of a square with the letter 'C' inside, followed by the word 'COPY' in a bold, sans-serif font.

Express Mail Label: EV 189442322 US Date of Deposit: June 30, 2004
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.


Rhonda Dunn

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re the application of: Roger Chickering
Serial No. 10/774,356
Filed: 2/5/2004
For: Inter-Process Communication on a Computer
Examiner: Unassigned
Art Unit: 2127
Attorney Docket: AOL0159

June 30, 2004

Commissioner of Patents
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

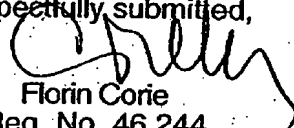
Sir:

In response to the Notice to File Missing Parts of mailed 5/7/2004, enclosed herewith are the following:

- Certificate of Express Mailing (1 page);
- Copy of Notice to File Missing Parts (2 pages);
- Original Signed Declaration (2 pages);
- Formal Drawings (5 sheets); and
- Return Postcard

The Commissioner is authorized to charge the late Oath and Declaration filing fee of \$130.00 and any additional fees that may be due and credit any overpayments to Deposit Account No. 07-1445 (Order No. AOL0159). A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,


Florin Corie
Reg. No. 46,244

Customer No. 22862

A logo consisting of a square with the letter 'C' inside, followed by the word 'COPY' in a bold, sans-serif font.

Attorney Docket No. AOL0159

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTER-PROCESS COMMUNICATION ON A COMPUTERthe specification of which (check one) ☐ is attached hereto, or ☒ was filed on 2/5/2004
as Application Serial No. 10/774,356 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed
Yes No

Number Country Day/Month/Year Filed

Number Country Day/Month/Year Filed

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

MICHAEL A. GLENN, Reg. No. 30,176
JAMES R. BRAMSON, Reg. No. 41,632
DONALD M. HENDRICKS, Reg. No. 40,355
CHRISTOPHER PEIL, Reg. No. 45,005
IVY Y. MEI, Reg. No. 46,925
JULIA THOMAS, Reg. No. 52,283
FLORIN CORIE, Reg. No. 46,244

SEND CORRESPONDENCE TO:

GLENN PATENT GROUP, 3475 Edison Way, Suite L, Menlo Park, CA 94025

Attorney Docket No. AOL0159

 COPY

I hereby claim the benefit under Title 35, United States code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.

Filing Date

Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Roger Allen CHICKERINGInventor's signature 

Date

6/18/2004Residence 8125 W. Hidden Lakes Drive, Granite Bay, California 95746Post Office Address SameCitizenship United States of America

COPY

1/5

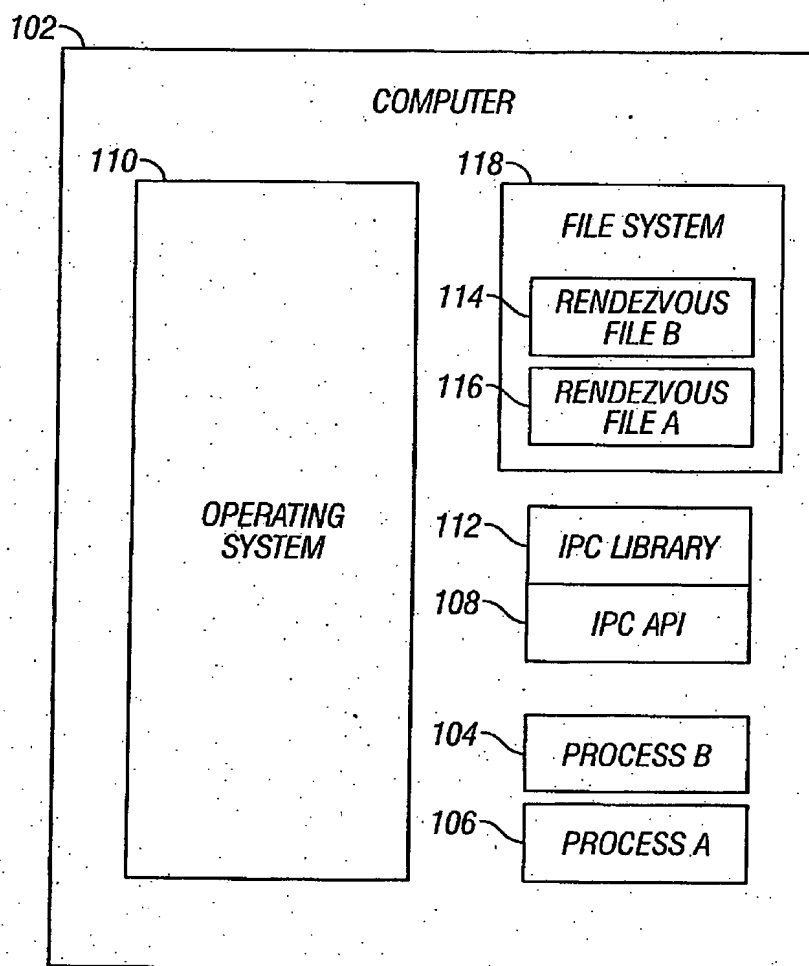


FIG. 1

COPY

2/5

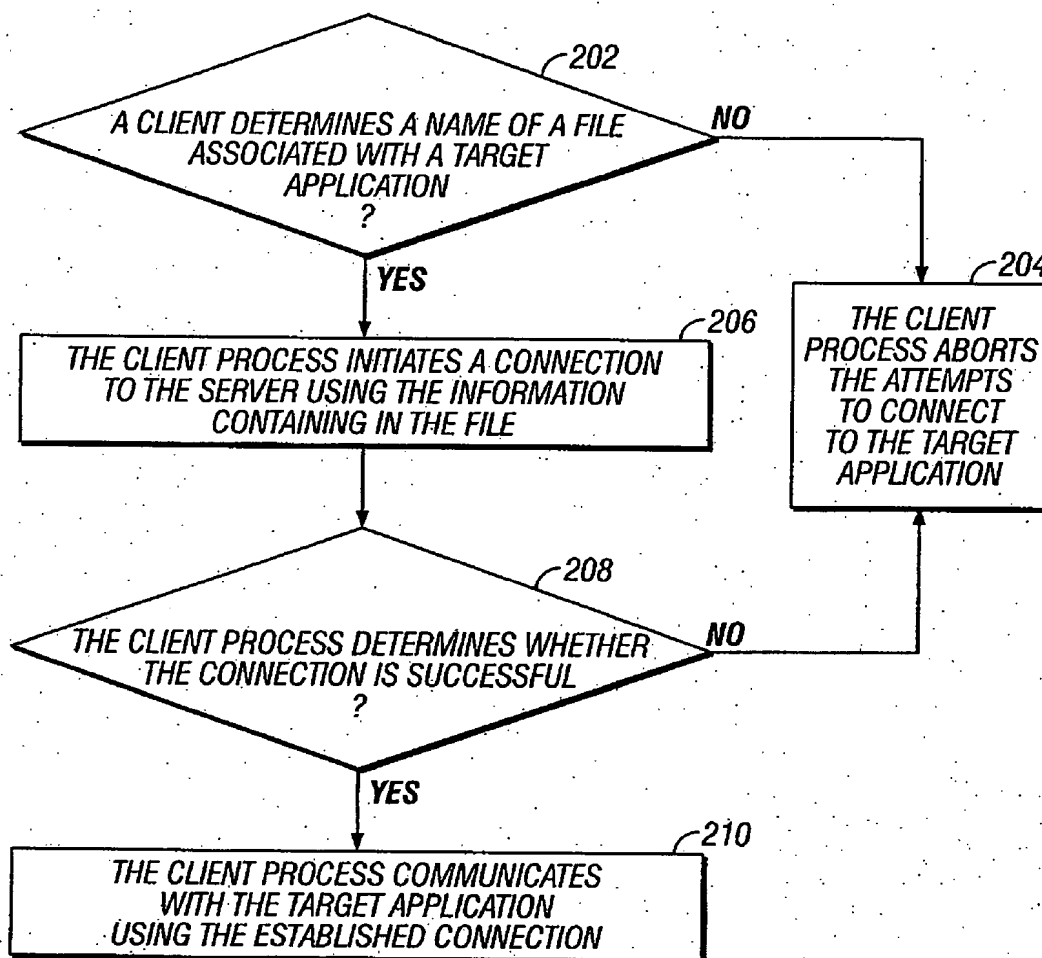


FIG. 2

COPY

3/5

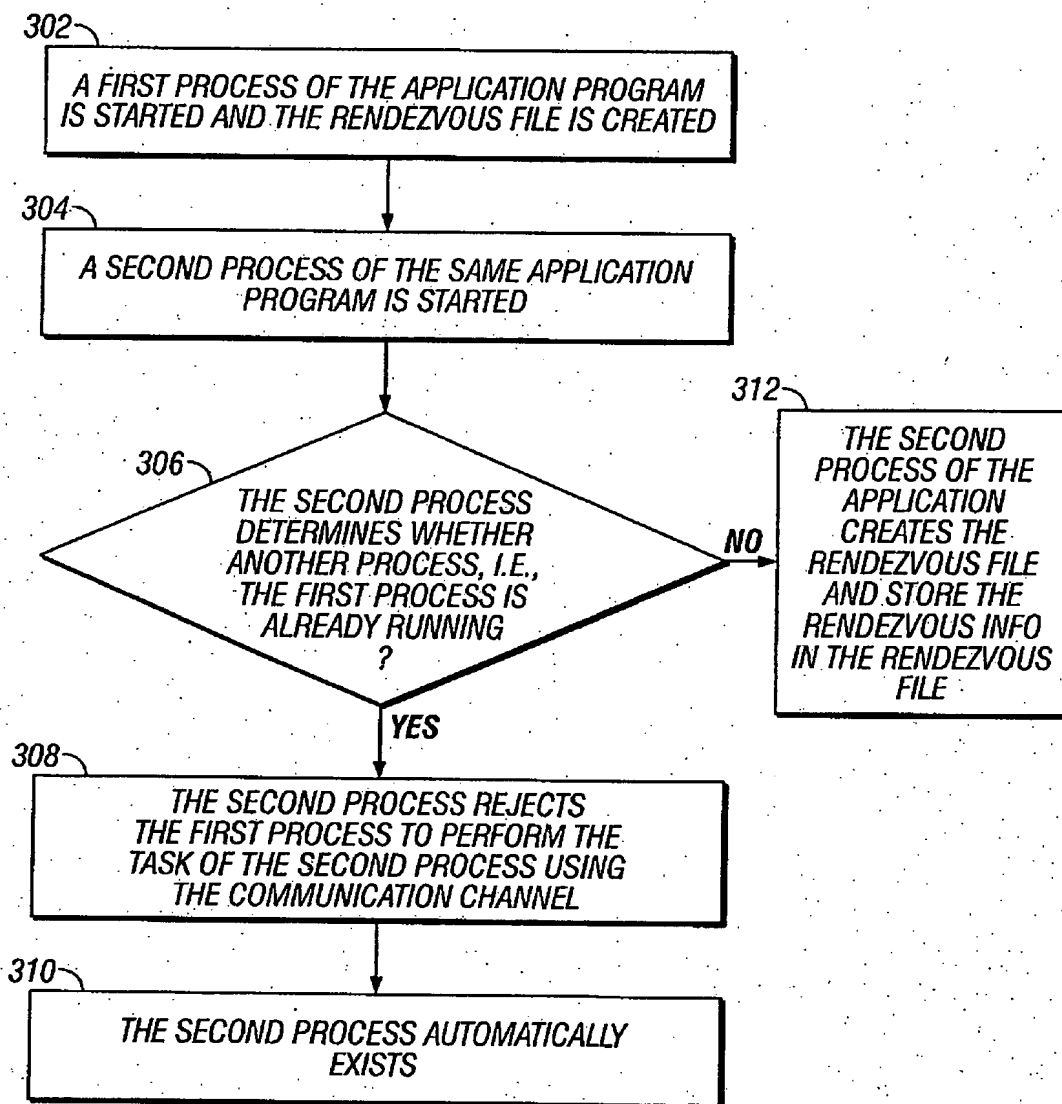


FIG. 3

COPY

4/5

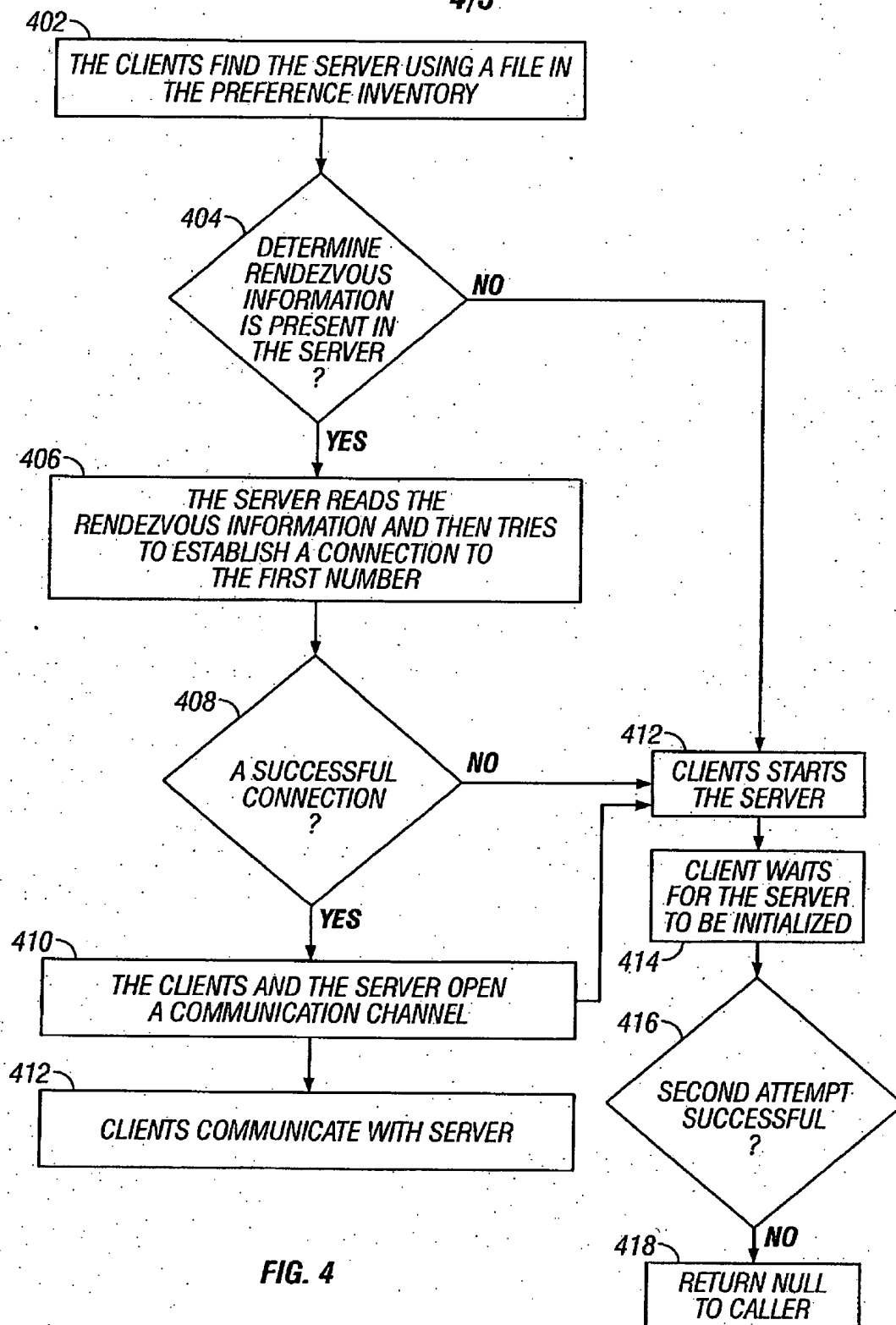


FIG. 4

COPY

